



#4
PATENT
Atty. Dkt. No. 2551.042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Charles C. Freeny, Jr.)
Serial No.: 09/607,227) Group No. 2756
Filed: 06/30/2000)
For: **AUTOMATED DATA DELIVERY SYSTEMS**)

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INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. [X] Preliminary Statements
2. [X] Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
3. [X] Statement as to Information Not Found in Patents or Publications

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited on March 28, 2001 with the United States Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231.

Marc A. Brockhaus
Name of applicant, assignee or
registered representative

Marc Brockhaus
Signature

Applicant: Charles C. Freeny, Jr.
Title: **AUTOMATED DATA DELIVERY SYSTEMS**
Serial No.: 09/607,227
Atty. Dkt. No.: 2551.042

- 4. ☒ Copies of Listed Information Items Accompanying this Statement
- 5. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

- ☒ A completed Form PTO/SB/08A and/or Form PTO/SB/08B is attached hereto.
- ☐ A completed Form PTO/SB/08A and/or Form PTO/SB/08B is not attached hereto.

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**Section 3. Statements as to Information Not Found in Patents or Publications
(Information not listed in PTO Form PTO/SB/08A)**

There are many systems developed to deliver items from one source or a distribution point to another location including data and information distributions systems. More notable of the prior art delivery systems are the Government Mail systems, Private Mail Systems such as Fed EX and UPS and in more recent years the Electronic Fax machines (such as Patent No. 4,837,797) and the many E-Mail services evolving on the Internet and Intranets.

Also, the scheduled broadcast networks, such as Radio, television, telephone, and wireless networks that connect security and other automated equipment to computer systems have been around for years. The scheduled broadcast networks deliver data.

These legacy scheduled data delivery systems, such as Broadcast and cable TV systems, were designed for specialized equipment and delivered audio/video or data to either a public audience with special receiver equipment or a very limited audience with special equipment. For example, stock market quotes have been delivered to special pieces of equipment tuned into a local FM radio station and recently a company called "Netpliance " built a special piece of equipment that plugs into a persons phone line (like a fax machine) and delivers e-mail and other such information several times a day.

Over the last five years many of the legacy scheduled delivery systems converted over to Internet storage and delivery systems. More recently, public broadcast station content has been converted to Internet protocol for delivery to person's computers that tune into a Website broadcast station or Cable network such as CNN.com or CNN Channel 34 for example.

Even more recently, Internet Service Providers such as AOL have offered Instant message service that allows a new message to be delivered in real time to another persons computer that is connected to their service rather than just sending the message to the individuals E-Mail Box. That is, the Instant message service keeps track of who is signed up for the service and will send a message directly between several people signed up for the instant message service when they are connected to the service at the same time. This is kind of like a special party line chat room. However, none of these services send messages to a users database automatically so that the user can check their messages at anytime without having to connect up to some service provider to get what

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is in their service provider mail box. Currently, the network data services deliver only to a users E-Mail or Storage box located on the Internet or Intranet servers, or to a user's communication device, such as a cell phone or beeper.

The communication message deliver services (Beepers, Faxes, E-mail, etc.) that send messages or phone numbers have been around for years but only deliver to the user's communication device (or mail boxes stored on a remote server). The user has little or no involvement in determining what is delivered or how the data is delivered. For example in Los Angeles, a user can subscribe to a service that beeps the user's communication device when a live car chase is on TV. The service will beep you with the channel information for a fixed amount of money per month. The service can also beep the user's communication device when the user's stock has changed price. There are no automated data delivery services on the Internet that allows a person to sign up for tailor made data deliver (like a special magazine subscription) and then have the tailor made data delivered to ones computer and placed in a special place chosen by the subscriber on a scheduled basis.

Although there are now millions of databases available on the Internet, users still have to sort through the databases and select what the user's want to download or buy or watch the data in real time. Adding to the difficulties, the data storage services store the data in a single format (normally in one of the accepted browser formats) and users must figure out how to retrieve the data and convert the data to a format that fits their needs. In other words, the user must build a special data fetch engine for each source of data that the user needs at the user's computer.

Prior to developing the system disclosed in this application the inventor inquired to Microsoft, AOL, Yahoo, Amazon and several other Internet service providers regarding data delivery service. All inquiries were responded to in a negative sense to say they did not offer such services. In summary there are no services that deliver data to a users computer on a scheduled basis and in the format dictated by the user. In particular there are no equivalent of the physical delivery services (e.g. the US Mail delivering individual mail to a persons house instead of their post office box where they have to go get the mail) on the networks and especially the Internet. The Internet only has data warehouses, store fronts or Mail Boxes for the consumer to purchase items or go get their mail, they do not have automated data delivery services other than real time data download when a consumer purchases some data or the instant message service described earlier.

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Note the Internet/Intranet network systems themselves maintain IP address databases that must be maintained and synchronized. The IP address databases are maintained and synchronized by the routers and server synchronization programs and do not offer data delivery to Users. That is, the IP address databases are maintained and synchronized by automatic host-to-host database manager programs residing on the same network system (such as the many internal computer engines that keep local computer routines synchronized automatically to the correct time or other common platform parameters as required).

Even more amazing is the fact that application programs built for users that have been around for years do not have data delivery services built in as standard features so that other applications running on the same platform (either a local computer or a global computer network) can get data delivered, as requested, when requested, and in the format requested. The corollary to that fact is that none of the application programs on the market have automatic data reception features to automatically greet and verify the validity of the "postal service" bringing the "data mail" or automatically checks the validity of the "data mail" being delivered or has the capability for both type validity checks to be made automatically. Applications such as Lotus, Excel, WordPerfect, MS Word, Access, and even more important the newer useful programs such as Quicken notebook and DacEasy or Peachtree Accounting programs or TurboTax have file or record Import/Export features that require the data to conform to some ODBC standard or the application file or record communication standards built into the programs. The most useful of these programs have "manual tools" to help import selected portions of files (records e.g. MS Word lets users "manually merge" address data records from one program database into a letter or a label generating program of another application). These export/import features were incorporated into application programs many years ago because of competition. The available methods require the user to build a special program to retrieve the data (a fetch engine) or to deliver the data (a delivery engine) each time the user wants to transfer data from one program to another as done with the "tools macros" available in some of the more popular application programs.

These tool macros still require the user to learn how to use the tool and follow the instructions each time the user wants to import or export a file or record. Even though Windows software has provided menus designed to help the programmer accomplish file and record transfer tasks, Windows programs do not have an application module for scheduled specific data delivery or data reception built into their programs where the user specifies the format for example.

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Report generators are prevalent in accounting and other application programs. The report generators operate as a special data base application program building a special database using a special report generating fetch engine but not a delivery engine.) The report generators make it easy for user computer developers to specify the data or record they want (not specify a file but specify a piece of a file or record), in the form they want it (ASCII, html, excel, etc.), placed where they want the data to go, and to retrieve the data automatically, when they want it delivered. The report generator requires the user or the user's program to actuate the report generator each time data is to be determined.

There are some programs currently built to synchronize files (bring all the files up to the most current version) used for portable computers, PDA's and client computers hooked up to networks. Also there are a few companion application programs (applications developed by the same developer) such as Quicken Books and Turbo Tax programs developed by the same company that will let the user choose to import some data from one of the programs to the other. These programs import (data predetermined by the programmer not the user) from one program to another (e.g. from the Quicken Books database to the Turbo Tax program database) and let the user decide if the user wants to use the imported data.

Also there are many programs now that will let you retrieve updates with the latest software versions if you sign up for such a service, especially computer operating system programs running on Windows Platforms. Such programs are a convenience to the software developer but hardly a convenience for the software owner. These version update programs detect your current program version and provide an update automatically. The version update programs are just another form of synchronization programs not data delivery services. For example, AOL provides their program version updates when you try to log off from their service. The need for true data delivery services was recently discovered when the team building the first user computers (see patent pending) were spending a lot of time developing "fetch engines". The Fetch Engines (FE) are required to keep the User Computers (UC) special databases current automatically according to predetermined schedules.

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Search engines used by websites for mining data for a user exist. Such search engines are referred to in the art as agents spiders or bots, for example. In addition, combinations of search engine and file transfer programs exist for use with downloading music from websites on the internet. Two such programs are provided under the tradenames Napister and Guntella.

Section 4. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO/SB/08A accompany this information disclosure statement.

Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

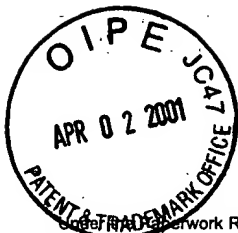
The person making this statement is the attorney who signs below on the basis of the information:

- ☒ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/607,227	
	Filing Date	06/30/2000	
	First Named Inventor	Charles C. Freeny, Jr.	
	Group Art Unit	2756	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	<i>11</i>	Attorney Docket Number	2551.042

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	1. Information Disclosure Statement (7 pgs) 2. Information Disclosure Statement by Applicant PTO/SB/08A & 8B - w/ copy of cited references (2 pgs) 3. Fee Transmittal for FY 2001 PTO/SB/ 17 (1 pg) 4. Transmittal Form PTO/SB/21 (1 pg) 5. Authorization to charge required fees and credit any overpayment to Deposit Account 6. Self-addressed, stamped return receipt postcard 7. 8.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Dunlap, Coddington & Rogers, P.C., 9400 North Broadway, Suite 420, Oklahoma City, OK 73114 Marc A. Brockhaus, Reg. No. 40,923
Signature	<i>Marc Brockhaus</i>
Date	<i>3-28-2001</i>

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. _____ in an envelope addressed to the address below on this date: <u>03/28/2001</u>			
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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 0)

Compleat if Known

Application Number 09/607,227

Filing Date 06/30/2000

First Named Inventor Charles C. Freeny, Jr.

Examiner Name Unknown

Group Art Unit 2756

Attorney Docket No. 2551.042

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METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

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- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

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Large Entity Small Entity

Fee Code Fee Code Fee Description

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description
101	710	201 355	Utility filing fee
106	320	206 160	Design filing fee
107	490	207 245	Plant filing fee
108	710	208 355	Reissue filing fee
114	150	214 75	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	= 0
Multiple Dependent	-3** =	X	= 0

Large Entity Small Entity

Fee Code Fee Code Fee Description

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description
103	18	203 9	Claims in excess of 20
102	80	202 40	Independent claims in excess of 3
104	270	204 135	Multiple dependent claim, if not paid
109	80	209 40	** Reissue independent claims over original patent
110	18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Marc A. Brockhaus	40,923	(405) 478-5344
Signature	Date	
Marc Brockhaus	03/28/2001	

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